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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Adam J. Canni et al.

Serial No.: 10/758,563

Filed: January 15, 2004

For: OVERHEAD CONSOLE FOR A VEHICLE

Attorney Docket No.: LEAR 0660 R

Group Art Unit: 3612

Examiner: Gregory A. Blankenship

TRANSMITTAL LETTER

Mail Stop AF
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed with reference to the above matter are the following documents:

1. Petition Requesting Waiver of the Signature Requirement of a Non-Signing Inventor Under 37 C.F.R. § 1.183.
2. Reissue Application Supplemental Declaration and Power of Attorney executed by Adam Canni.
3. Reissue Application Supplemental Declaration and Power of Attorney executed by Scott D. Shields.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8 (FIRST CLASS MAIL)

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

February 9, 2007
Date of Deposit


Mark E. Stuenkel
Name of Person Signing

Signature

4. Affidavit (of Mark E. Stuenkel) with Exhibits A & B.
5. Check for \$400 to cover the Petition fee.

Respectfully submitted,

Adam J. Canni et al.

By: 
Mark E. Stuenkel
Reg. No. 44,364
Attorney/Agent for Applicant

Date: February 9, 2007

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**PETITION REQUESTING WAIVER OF THE SIGNATURE
REQUIREMENT OF A NON-SIGNING INVENTOR
UNDER 37 C.F.R. § 1.183**

Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed are Declarations executed by Adam Canni and Scott Shields. Also enclosed is an Affidavit providing proof of the pertinent facts concerning the inability to locate co-inventor Clifford Krapfl, notwithstanding diligent effort. Waiver of the signature requirement of Clifford Krapfl is therefore being requested. The last known address for Mr. Krapfl is 1114 West Belmont, Apt. 6, Chicago, Illinois 60637.

The required fee of \$400.00 pursuant to 37 C.F.R. § 1.17(f) is enclosed herewith. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment as a result of the filing of this paper to Deposit Account No. 02-3978.

02/12/2007 EAREGAY1 00000021 10758563

01 FC:1462

400.00 0P

Respectfully submitted,

Adam J. Canni et al.

By


Mark E. Stuenkel

Reg. No. 44,364

Attorney/Agent for Applicant

Date: February 9, 2007

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400; Fax: 248-358-3351



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue application of: U.S. Patent No. 6,338,517

Issued: January 15, 2002

Reissue application Serial No.: 10/758,563

Reissue application Filing Date: January 15, 2004

Inventors: Adam Canni et al.

Original Patent Application Filing Date: January 20, 2000

For: OVERHEAD CONSOLE FOR A VEHICLE

Attorney Docket No.: LEAR 0660 R

**REISSUE APPLICATION SUPPLEMENTAL DECLARATION AND
POWER OF ATTORNEY BY NAMED INVENTORS**

As a named inventor of U.S. Patent No. 6,338,517 issued January 15, 2002, whose current residence, post-office address and citizenship are stated below, I hereby declare that:

I believe I am an original, first and joint inventor of the subject matter which is described and claimed in Letters Patent No. 6,338,517 ("the original patent"), granted January 15, 2002, and for which a reissue patent is sought on the invention entitled "OVERHEAD CONSOLE FOR A VEHICLE," the specification of which is attached hereto.

I have reviewed and understand the contents of the above identified specification, including the claims as amended by an amendment filed November 21, 2006. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, by reason of our claiming less than we had the right to claim in the patent. For example, claim 38 requires that the accessory module include "a housing having vertically extending side walls

that extend between the rails when the module is secured to the rails." This limitation does not appear to be necessary in order to patentably define our invention over the prior art, and is not included in new claim 44, for example. Moreover, this insufficiency arose through error, in that we did not fully appreciate the scope of our invention vis-à-vis the prior art.

All errors being corrected in the reissue application up to the time of the filing of this declaration arose without any deceptive intention on the part of the applicant.

I hereby appoint the practitioners associated with Customer Number 34007 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number. Telephone calls should be directed to (248) 358-4400.

CUSTOMER NO.

34007

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full Name of Sole or First Named Inventor Adam Canni

Inventor's Signature  Date 2/1/07

Post Office Address 375 Barton Run, Marlton, New Jersey 08053

Residence SAME AS ABOVE Citizenship U.S.A.

Full Name of Second Named Inventor Scott Shields

Inventor's Signature _____ Date _____

Post Office Address 8090 High Point Trail, White Lake, Michigan 48386

Residence SAME AS ABOVE Citizenship U.S.A.

Full Name of Third Named Inventor Clifford Krapfl

Inventor's Signature _____ Date _____

Post Office Address 1114 W. Belmont, Apt. 6, Chicago, Illinois 60657

Residence SAME AS ABOVE Citizenship U.S.A.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue application of: U.S. Patent No. 6,338,517

Issued: January 15, 2002

Reissue application Serial No.: 10/758,563

Reissue application Filing Date: January 15, 2004

Inventors: Adam Canni et al.

Original Patent Application Filing Date: January 20, 2000

For: OVERHEAD CONSOLE FOR A VEHICLE

Attorney Docket No.: LEAR 0660 R

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CUSTOMER NO.

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Full Name of Sole or First Named Inventor Adam Canni

Inventor's Signature _____ Date _____

Post Office Address 375 Barton Run, Marlton, New Jersey 08053

Residence SAME AS ABOVE Citizenship U.S.A.

Full Name of Second Named Inventor Scott Shields

Inventor's Signature  Date 1/8/07

Post Office Address 8090 High Point Trail, White Lake, Michigan 48386

Residence SAME AS ABOVE Citizenship U.S.A.

Full Name of Third Named Inventor Clifford Krapfl

Inventor's Signature _____ Date _____

Post Office Address 1114 W. Belmont, Apt. 6, Chicago, Illinois 60657

Residence SAME AS ABOVE Citizenship U.S.A.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Group Art Unit: 3612

Adam J. Canni et al.

Examiner: Unknown

Serial No.: 10/758,563

Filed: January 15, 2004

For: OVERHEAD CONSOLE FOR A VEHICLE

Attorney Docket No.: LEAR 0660 R

AFFIDAVIT

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

MARK E. STUENKEL, being duly sworn, and having personal knowledge of the facts set forth herein, hereby deposes and says that:

1. Adam J. Canni, Scott D. Shields and Clifford Krapfl are listed as co-inventors of the invention disclosed in the reissue patent application.
2. Mr. Canni and Mr. Shields have each executed a Supplemental Declaration.
3. The last known mailing address for Mr. Krapfl is 1114 W. Belmont, Apt. 6, Chicago, Illinois 60657.
4. As indicated in the prior Affidavit filed May 25, 2004, a prior envelope sent to Mr. Krapfl at the above address was returned, along with a Return Receipt stamped "returned to sender" and "attempted not known." A copy of the Return Receipt is enclosed herewith as Exhibit A.
5. On November 30, 2006, I conducted a search of the White Pages on the Internet in an attempt to locate a new address for Mr. Krapfl. The results of the Search are

attached as Exhibit B. Eight search results were identified when I searched "C. Krapfl," but seven of the eight search results indicated a name other than Clifford. The remaining search result indicated "Krapfl, T & C."


6. On February 9, 2007, I called telephone number 641 755-3729, which is the telephone number associated with the search result identified as "Krapfl, T & C." A woman answered the telephone and said that no Clifford lived at that address, and that she was not aware of a Clifford Krapfl.

FURTHER AFFIANT SAYETH NAUGHT.



MARK E. STUENKEL
Registration No. 44,364

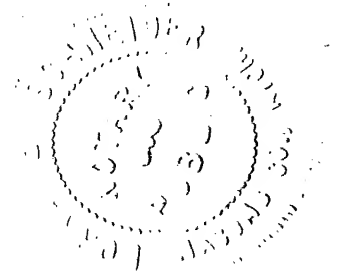
Subscribed and sworn to before me
this 9th day of February, 2007.



Notary Public
County of Macomb, State of Michigan
My Commission Expires: 2-19-08

LORRAINE SCHNEIDER
Notary Public, Macomb County, MI
Acting in Oakland Co., MI
My Commission Expires 02/19/2008

Attachments




[MSN Home](#) [Hotmail](#) [My MSN](#) [Sign In](#)
msn White Pages

[White Pages](#) [Yellow Pages](#) [Reverse Phone](#) [Reverse Address](#) [Area & ZIP Codes](#)

Results: 8 listings matching "C Krapfl, United States"
 2 non-published listings ([more info at US Search](#))
 1 older listing ([view](#))

[New Search](#) | [Modify Search](#) | [Printer-Friendly](#)
[Previous](#) | [1](#) | [Next](#)
KRAPFL, CHRIS C

1 of 8

1946 Rosemont St
 Dubuque, IA 52002-2667
 (563) 557-1400

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KRAPFL, CHRIS & SANDY

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KRAPFL, CODY

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856 Cassandra Dr
 Peosta, IA 52068-9696
 (563) 584-0531

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KRAPFL, CORY & JILL

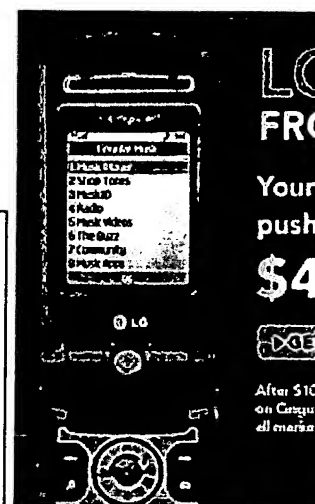
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33224 Xena Rd
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KRAPFL, CYRIL

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KRAPFL, JASON & CAROLYN

6 of 8

619 Grant St
Fort Atkinson, WI 53538-2225
(920) 568-8093

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KRAPFL, T & C

7 of 8

4379 Panorama Dr
Panora, IA 50216-8641
(641) 755-3729

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KRAPFL, TERRY & CATHY

8 of 8

305 N 14th St
Indianola, IA 50125-1643
(515) 962-1068

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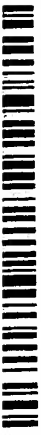
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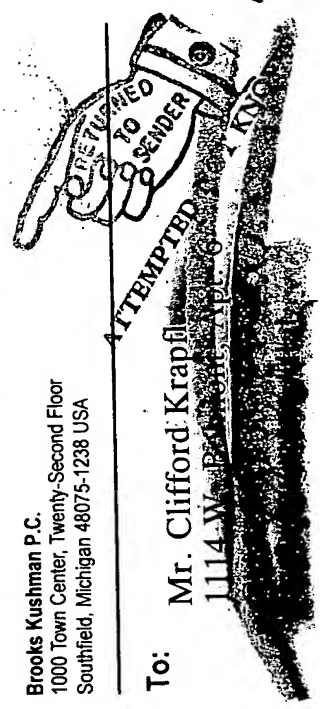
FEB 6 10Z

BROOKS KUSHMAN
INTELLECTUAL PROPERTY LAW

Brooks Kushman P.C.
1000 Town Center, Twenty-Second Floor
Southfield, Michigan 48075-1238 USA

To: Mr. Clifford Krapf

1114 W. Park Road, Apt. 6
Chicago, IL 60606



BEST AVAILABLE COPY

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to: Clifford Krapf 1114 W. Park Road, Apt. 6 Chicago, IL 60606 RETURNED TO SENDER</p>		A. Signature X	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
<p>2. Article Number (Transfer from service label) 7002 0860 0001 4455 5887</p>		B. Received by (Printed Name)	C. Date of Delivery
<p>3. Service type: <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If delivery address below:	
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			